

In a series of statements in different venues, Mr. Marceca gave conflicting answers to questions concerning whether and to what degree he reviewed the background reports for derogatory information. Ultimately, notwithstanding Mr. Marceca's confusing testimony, the House Committee concluded that he had read the background reports to determine an individual's suitability to serve in the Clinton Administration.¹³⁶

a. Mr. Marceca's June 9, 1996 Declaration.

In the declaration Mr. Marceca provided to Livingstone's attorney on June 9, 1996, Mr. Marceca acknowledged he reviewed the background reports for substance -- issues that went to suitability -- but implied that he was looking primarily for "inconsistencies" between the previous report and a new SF-86, which would exist only for legitimate holdover employees. The declaration stated:

When the previous report came into the office, I pulled the file I had created for the individual and reviewed the report to determine the date for the individual's next periodic reinvestigation, and to determine whether there was any information in the individual's Previous Report that could raise a question as to the individual's suitability to have access to the White House complex. In particular, I looked for inconsistencies between the information obtained by the FBI in its background investigation and the information

¹³⁶ "Investigation into the White House and Department of Justice on Security of FBI Background Investigation Files: Interim Report," Comm. on Govt. Reform & Oversight, H. Rep. No. 104-862, 104th Cong, 2d Sess. (Sept. 28, 1996) at 47.